# This Page Is Inserted by IFW Operations and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

### IMAGES ARE BEST AVAILABLE COPY.

As rescanning documents will not correct images, please do not report the images to the Image Problem Mailbox.





**PATENT** 

Docket No.: 19226/2331 (R-5839)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

			)	
Applicant	:	Deborah D.L. Chung	) Exam	iner
			) Unkr	ıown
Serial No.	:	10/807,487	)	
			) Art U	Jnit:
Cnfrm. No.	:	3059	) 17	62
Filed	:	March 23, 2004	)	
riica	•	Watch 23, 2004	<i>)</i> \	
For	:	THERMAL PASTE FOR IMPROVING THERMAL	)	
		CONTACTS	)	
			)	

### PETITION FOR CORRECTION OF FILING DATE **UNDER 37 CFR §1.10(c)**

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant submits that the presently accorded filing date of March 22, 2004 for the above-identified application is incorrect. Therefore, pursuant to 37 CFR § 1.10(c), applicant hereby petitions the Commissioner for Patents to correct the accorded filing date of the above-identified application to reflect the actual filing date of March 23, 2004.

Applicant submits that this Petition is being filed in compliance with 37 CFR § 1.10(c)(1). A marked copy (indicating the erroneous filing date) of the Official Filing Receipt is attached hereto as Exhibit A.

Applicant also submits that the Express Mail No. EV138586129US was placed on the Express Mail Certificates accompanying the above-identified application and its Transmittal Letter, which satisfies the requirements under 37 CFR § 1.10(c)(2). A copy of the Transmittal Letter and Fee Transmittal is attached hereto as Exhibit B. Copies of all Express Mail Certificates filed with the present application are attached as Exhibit C.

As identified in the Transmittal Letter, accompanying the application (39 pages) and Transmittal Letter were: (a) drawings (3 pages); (b) an unsigned Combined Declaration and Power of Attorney (2 pages); (c) a pre-paid return receipt postcard; (d) a check in the amount of \$1,281.00 (see Exhibit B). An Express Mail Certificate signed by Shawn A. Lockett accompanied each of the following: the Transmittal Letter and Fee Transmittal for FY2004; the drawings; the application and unsigned Combined Declaration and Power of Attorney form.

- 2 -SN 10/658,993

Each of these materials was placed into the Express Mail package bearing Express Mail No. EV138586129US, and the sealed Express Mail package was delivered by Mr. Lockett to a representative of the U.S. Postal Service ("USPS") at the U.S. Post Office, Midtown Plaza Station, Rochester, New York 14604 on March 23, 2004. An Express Mail receipt was provided to Mr. Lockett by the representative of the USPS and this receipt was placed in the appropriate Nixon Peabody file, bearing docket number 19226/2331, by a docketing clerk.

In compliance with 37 CFR § 1.10(c)(3), applicant presents herewith a copy of the Express Mail receipt returned to applicant's representatives following deposit of the Express Mail package bearing Express Mail No. EV138586129US with the USPS (attached as Exhibit D). The Express Mail receipt also bears Express Mail No. EV138586129US (upper left corner) and the attorney docket number 19226/2331 (in the lower left). This is the same docket number present on the Transmittal Letter and the Express Mail Certificates (compare Exhibits B, C, and D). The Express Mail receipt bears a hand-stamp date and a hand written "date in" date of March 23, 2004. Applicant submits that this documentation conclusively indicates the mail date of March 23, 2004 as the correct filing date, satisfying the requirements under 37 CFR § 1.10(c)(3).

In view of all of the foregoing in satisfaction of the requirements under 37 CFR § 1.10(c), applicant respectfully requests that the accorded filing date be corrected to read March 23, 2004 and that the U.S. Patent and Trademark Office mail a corrected filing receipt to applicant's representative.

Although applicant believes that no fee is due upon consideration of this Petition, the Commissioner is authorized to charge any necessary fees to our Deposit Account No. 14-1138.

Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone:

(585) 263-1069

Telecopy:

(585) 263-1600

Respectfully submitted,

Registration No. 39,946

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on 7/29/09 with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. Q. Box 1450, Alexandria, VA 22313-1450

Browers

nice

Type or Print Name



### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vinginia 22313-1450 www.usplu.gov

FILING OR 371 APPL NO. ART UNIT. FIL FEE REC'D ATTY.DOCKET NO **DRAWINGS** TOT CLMS IND CLMS (c) DATE 1762 10/807,487 03/22/2004 1281 3 19226/2331 (R-5839) 110 5

03/23/2004

Candice J. Clement Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, NY 14603-1051

CONFIRMATION NO. 3059

FILING RECEIPT

OC000000012874412\*

Date Mailed: 06/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Deborah D.L. Chung, E. Amherst, NY;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/485,804 07/09/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/04/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Thermal paste for improving thermal contacts

**Preliminary Class** 

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

MIR 0 5 50004

٦	Attorney	Docket No.	19226/2331 (R-5839)				
First Inventor			Deborah D.L. Chung				
1			PASTE FOR IMPROVING				
THERMAL (				•			
		THERMAL (					
		Meil Lebel No	EV138586129US				
- 1	Express Mail Label No.						

ik,		UTILITY		Attor	ney Docket No.	D-11-1	D.I. Chara		
	PATEN	NT APPLICAT	ION	First	Deborah D.L. Chung THERMAL PASTE FOR IMPROVING				
	TRANSMITTAL		Title						
				THERMAI	CONTAC				
(Only for new nonprovisional applications under 37 CFR 1.53(b))					ess Mail Label No.		586129US		
	Δ1	PPLICATION ELEME	NTS				tent Application		
					ADDRESS TO:	P.O. Box 145			
See MP	EP chapter 600 c	concerning utility patent a	ipplication contents.				Virginia 22313-1450		
, rea	F Tomomittal	Form (e.g., PTO/SB/17)			7. CD-ROM C		licate, large table or		
1. 🗷	(Submit an original as	nd a duplicate for fee processing)	•		Computer Program (Appendix)				
2. 🗷	Applicant claims	s small entity status.			8. Nucleotide and	or Amino Aci	d Sequence Submission		
	See 37 CFR 1.27	•			(if applicable, a		(CDE)		
3. 🗷	Specification (preferred arrangement	[Total Pages 39]			b. Specification	er Keadable ro Sequence Lis	ting on:		
	<ul> <li>Descriptive</li> </ul>	title of the invention		•	i D CI	D-ROM or CD	-R (2 copies; or		
•	- Cross Refer	ence to Related Applicati	ons (if applicable)		ii. 🔲 par				
	- Statement R	egarding Fed sponsored l	R & D (if applicable)			•	lentity of above copies		
	- Reference to	o sequence listing, a table er program listing append	, lix (if applicable)				PLICATION PARTS		
		of the Invention	III (9 approacts)			·			
	- Brief Summ	ary of the Invention					ver sheet & document(s))		
	- Brief Descri	iption of the Drawings (if	filed)		10. 37 CFR 3				
100	- Detailed De	scription	•			ere is an assign			
•	- Claim(s)	the Disclosure	•		1		cument (if applicable)  Conjest of IDS		
4 🔀	Drawing(s) (35		Sheets 3]		12. Informati	ion Disclosure it (IDS)/PTO-1			
	th or Declaration		Pages 🗖 ]		13. Prelimina		1.11		
a.		uted (original or copy)	-		14. Return Receipt Postcard (MPEP 503)				
b.	☑ Unsigned					be specifically			
c.	☐ Copy from	a prior application (37 CI	FR 1.63(d))		15. Certified	Copy of Prior	ity Document(s)		
	(for continu	ation/divisional with Box	: 18 completed)		(if foreig	n priority is cl	aimed)		
		TION OF INVENTOR(S)			16. Nonpubl				
	Signed	statement attached deleti in the prior application, s	ng inventor(s)		122(b)(2	(B)(1). Applie	cant must attach form		
		(2) and 1.33(b)	cost of it		PTO/SB/35 or its equivalent.  17. Other:				
6.	Application Da	ta Sheet. See 37 CFR 1.7	16		1				
18 I	fa CONTINUIN	G APPLICATION, check	appropriate box, and	d supply	the requisite inform	ation below an	nd in a preliminary amendmen		
or in a	ın Application Da	ta Sheet under 37 CFR 1.	76:				• .		
1	☐ Continuation	☐ Divisional ☐	Continuation-in-part (C	IP)					
Pric	r application inform	nation: Exar	niner		Group / Art V	Unit:	<del></del>		
For Co	ONTINUATION O	R DIVISIONAL APPS only	y: The entire disclosur	e of the p	orior application, fron	which an oath	or declaration is supplied under		
D EL	to someldound a pe	art of the disclosure of the a relied upon when a portion	ccompanying continus	ition or d	ivisional application a	ina is nereby inc	corporated by reference. The		
incorp	oration can only be	relied upon when a portion	19. CORRESPO						
		Ran Cada Labal			2502,7300153344454	or 🗵 Corr	espondence address below		
	ustomer Number or .	Bar Coae Label	and the second						
Name	:	Candice J. Clement							
		Nixon Peabody LLP			<u> </u>		· · · · · · · · · · · · · · · · · · ·		
Addre	ess	Clinton Square, P.O. Bo	CS137	Zip Code 14603-1051					
City		Rochester State NY USA Telephone (585)			5) 263-1069 Fax (585) 263-1600				
Country									
			1 .	: NI-	. (Attorney/Agent)	39.946			
	e (Print/Type)	Candice J. Clement	Registrat	non No	. (Attorney/Agent	, 5,,, 10	<del>,</del>		
Name				ion ivo	. (Attorney/Agent)	Date			
==		Candice J. Clement		ion No	. (Attorney/Agent,		March 23,2004		

	<del></del>	plete if Known	· · · · · ·	<del></del>	
OIPE	Application Number	To Be Assigned			
FEE TRANSMITTAL	Filing Date	Herewith			-
AUG 0 2 2004 FOR FY 2004	First Named Inventor	Deborah D. L. Chung			
Patent fees are subject to annual revision.	Examiner Name	To Be Assigned	1. 4.	1	5
	Art Unit	To Be Assigned			
Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$)1,281	Attorney Docket No.	19226/2331 (R-5839)			
TOTAL AMOUNT OF TAXABLET					

METHOD OF PAYMENT (check all that apply)				FE	E CALCULATION (continued)
Check Card Card Money Other None	3. ADDITIONAL FEES				
Order  Deposit Account:	Large En	itity	Small I	<u> </u>	
Denosit		Fee	Fee	Fee	Fee Description
Account 14-1138	Code ( 1051	(S) 130	Code 2051	<b>(\$)</b> 65	Surcharge - late filing fee or oath
Number	1052	50	2052	25	Surcharge - late provisional filing fee or cover
	1002	- 50			sheet
Deposit	1053	130	1053	130	Non-English specification
Account Nixon Peabody LLP	1812 2	2,520	1812	2,520	For filing a request for ex parte reexamination ,
Name	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner
The Commissioner is authorized to: (check all that apply)					action
Charge fee(s) indicated below Credit any overpayments	1805 1,	840*	1805	1,840*	Requesting publication of SIR after Examiner action
Charge any additional fee(s)	1251	110	2251	55	Extension for reply within first month
Charge fee(s) indicated below, except for the filing fee	1252	420	2252	210	Extension for reply within second month
to the above-identified deposit account.	1253	950	2253	475	Extension for reply within third month
		1,480	2254	740	Extension for reply within fourth month
FEE CALCULATION	1	2,010	2255	1,005	Extension for reply within fifth month
1. BASIC FILING FEE	1401	330	2401	165	Notice of Appeal
Large Entity Small Entity Fee Fee Fee Fee Description	I		·		Filing a brief in support of an appeal
Code (S) Code (S) Fee Paid	1402	330	2402	165	<u> </u>
	1403	290	2403	145	Request for oral hearing
1001 770 2001 385 Utility filing fee 385	1	1,510	1451	1,510	Petition to institute a public use proceeding
1002 340 2002 170 Design filing fee	1452	110	2452	55	Petition to revive – unavoidable
1003 530 2003 265 Plant filing fee	1453	1,330	2453	665	Petition to revive – unintentional
1004 770 2004 385 Reissue filing fee	1501	1,330	2501	665	Utility issue fee (or reissue)
1005 160 2005 80 Provisional filing fee	1502	480	2502	240	Design issue fee
1005 100 2005 00 210 100 2005	1503	640	2503	320	Plant issue fee
SUBTOTAL (1) (\$) 385	1460	130	1460	130	Petitions to the Commissioner
(4)333	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1806	180	1806	180	Submission of Information Disclosure Strnt
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from	8021	40	8021	40	Recording each patent assignment per property
Extra Claims below Fee Paid  Total Claims 110 -20** = 90 X 9 = 810	1809	770	2809	385	(times number of properties) Filing a submission after final rejection
Total Claims 110 -20** = 90 X 9 = 810	1.007		2007	200	(37 CFR 1.129(a))
Independent 5 -3**= 2 X 43 = 86	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
Claims Multiple Dependent  X = 0	1801	770	2801	385	Request for Continued Examination (RCE)
Multiple Dependent					
Large Entity Small Entity	1802	900	1802	900	Request for expedited examination of a design application
Fee Fee Fee Fee Fee Description			:ea:		application
500	Other fe	e (spec	шу)		
1202 18 2202 9 Claims in excess of 20					
1201 86 2201 43 Independent claims in excess of 3	*Reduce	ed by B	asic Fili	ng Fee Paid	d SUBTOTAL (3) (\$) 0
1203 290 2203 145 Multiple dependent claim, if not paid					
1204 86 2204 43 ** Reissue independent claims over	1		CERTI	FICATE O	F MAILING OR TRANSMISSION [37 CFR 1.8(a)]
original patent 1205 18 2205 9 ** Reissue claims in excess of 20 and	I hereby	certify	that this	сопевроп	ndence is being:
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent			leposited	with the U	Juited States Postal Service on the date shown below with sufficient
SUBTOTAL (2) (\$) 896	1 .	p	ostage a	s first class	s mail in an envelope addressed to: Mail Stop, Patents, P. O. Box 1450, Alexandria, VA 22313-1450
**or number previously paid, if greater, For Reissues, see above	ŀ				mile on the date shown below to the United States Patent and
				rk Office a	
		Da	ate		Signature
	1				Typed or printed name
	<u> </u>				y y poor or printer marite
SUBMITTED BY					Complete (if applicable)
Candice J. Clement	Registr		. 1	39,946	Telephone (585) 263-1069
Name (Print/Type)	(Attorn	ey/Age	ent)		
Signature CANAUL & Clement				<del></del>	Date March 23, 2004



### **EXPRESS MAIL CERTIFICATE**

**DOCKET NO.:** 

19226/2331 (R-5839)

APPLICANTS:

Deborah D.L. Chung

TITLE:

THERMAL PASTE FOR IMPROVING THERMAL

CONTACTS

Certificate is attached to the Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate) of the above-named application.

EXPRESS MAIL NUMBER:

EV138586129US

DATE OF DEPOSIT:

March 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



### **EXPRESS MAIL CERTIFICATE**

DOCKET NO .:

19226/2331 (R-5839)

APPLICANTS:

Deborah D.L. Chung

TITLE:

THERMAL PASTE FOR IMPROVING THERMAL

**CONTACTS** 

Certificate is attached to the Patent Application including specification, claims and abstract (39 pages) and UNSIGNED Combined Declaration and Power of Attorney (2 pages) of the above-named application.

EXPRESS MAIL NUMBER:

EV138586129US

DATE OF DEPOSIT:

March 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



### **EXPRESS MAIL CERTIFICATE**

**DOCKET NO.:** 

19226/2331 (R-5839)

APPLICANTS:

Deborah D.L. Chung

TITLE:

THERMAL PASTE FOR IMPROVING THERMAL

CONTACTS

Certificate is attached to the Drawings (3 sheets) of the above-named application.

EXPRESS MAIL NUMBER:

EV138586129US

DATE OF DEPOSIT:

March 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



t in the fact that the particular in the partic	retend the postage, unless, 1) delivery was alterapted by ANA by strike or work sterness, or at detention was grade full ANA
ORIGIN (POSTAL USE ONLY)	DELIVERY (POSTAL USE ONLY)
PO ZIP Code FIDE (15) / 15 Delivery ITTE TEST COST   Flat Rate Envelope (16) fri 16) Drig 4 S	Delivery Attempt (18 ib. 3 Time in 16) y jotos i Employee Spatrick (1) Augmobi er sel (1)  Mo. Day.   AM. PM
Odes in 3 12 10 4 1 1 1/18 19 100 no special nil and /e 7 00 65 16 (1 see at )	Delivery Attempt  Crearcy philosope or in that the MMI bas that the Company philosope or in the MMI bas that the Company philosope or in the C
Time in Str. (2) Per Military but Military b	Delivery Date  Mos estimates of the part o
Weight OP HOURST HITTAInha Country Codest COD Fee at hisurance Fee quist	Well reported the control of the con
No Deliv y Acceptance Clerk Initials Total Postage & Fees	(Construction Works)
CUSTON ER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. 10. (1985 fr. 1). 281 (1984 oct. 1976 oct. 19	Federal Agency Acct. No. or Chostal Spring and The Coverage Covera
repts and payable to the bearer traveler a checks; pitching of the property of the payable to th	(Ramillaring bond, preciots stores) keep lands (bond man seemles)  (Ramillaring of not), preciots stores; keyels, and other man seemles)  (Ramillaring bonds to the country teacher of the country seemles)
Land Commenter of the contraction of THE ACT COMMENT COMMENT OF THE ACT COMMENT OF THE AC	receige equitom not accusimilism income accuse, inconstructura treatment in corona de la come de la
The first transfer of the first first first the first first transfer of the first fi	Subject to Continue and the content of the content
Number: 0444 or 19226/2331 an index of the state of mailing, for international, call 1-836-222-1811.	Alexandria VA 22313-1450  laims: Original dustome receipt or use express italifacel must be grasemed w Alt claims for delay, loss, damage, derifing must be made within \$0 days of Licelin forms may be obtained and fliet at any cost office.
PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-80	ose od toka ostavljeće kao skaletania vlatna kat osi mok vit saletanistivat